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attachment

Customer No. 22,852  
Attorney Docket No. 08593.0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Gail LEWANSOWSKI et al. )  
) Group Art Unit:  
Serial No.: Not Yet Assigned )  
) Examiner:  
Filed: September 4, 2001 )  
)  
For: APPLICATION OF DNA )  
VECTORS FOR THE )  
TREATMENT OF VIRAL )  
INFECTION )

U.S. NATIONAL PHASE APPLICATION BASED ON PCT/US00/05594

Assistant Commissioner for Patents  
Washington, DC 20231  
BOX: PCT

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO-1449 and cited in the international search report. Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO-1449 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.


This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 4, 2001

By:   
Ernest F. Chapman  
Reg. No. 25,961

Enclosures  
EFC/FPD/peg

**INFORMATION DISCLOSURE CITATION**

09/914840

OMB No. 0651-0011

JUL 12 2001 PCT/PTO 04 SEP 2001

Atty. Docket No. 08593.0001	Serial No.
Applicant Gail LEWANDOWSKI et al.	
Filing Date September 4, 2001	Group:

**U.S. PATENT DOCUMENTS**

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

**FOREIGN PATENT DOCUMENTS**

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	WO99/08713	2/25/99	WIPO/PCT			

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	B. Lu et al., "TOPICAL APPLICATION OF VIRAL VECTORS FOR EPIDERMAL GENE TRANSFER" The Journal of Investigative Dermatology, Vol. 108, pp. 803-808, (1997).
	PA STARR et al., "LONG-TERM PERSISTENCE OF DEFECTIVE HSV-1 VECTORS IN THE RAT BRAIN IS DEMONSTRATED BY REACTIVATION OF VECTOR GENE EXPRESSION", Gene Therapy, Vol. 3, pp. 615-623, (1996).
	G. LEWANDOWSKI et al., "EVIDENCE THAT DEFICIENT IFN- $\gamma$ PRODUCTION IS A BIOLOGICAL BASIS OF HERPES SIMPLEX VIRUS TYPE-2 NEUROVIRULENCE", Journal of Neuroimmunology, Vol. 81, pp. 66-75 (1998).

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce